

CASE NUMBER: 255100143563

Rhett Lawrence Ermis

PLAINTIFF

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OMC2 LLC dba Bantam Tools

DEFENDANT

IN THE **JUSTICE COURT** OF

HARRIS County, Texas

Precint 5 Place 1

## Small Claims Petition

### Plaintiff(s)

Name	Address	Type
Rhett Lawrence Ermis		Individual

### Defendant(s)

Name	Address	Type
OMC2 LLC dba Bantam Tools	135 N Water St,Peekskill,NY,10566	Business

### Complaint

The Plaintiff(s) assert that the Defendant(s) have committed actions or omissions that warrant the relief requested. Specifically, Plaintiff(s) allege that:

Bantam Tools has failed to adhere to their manufacturer warranty terms in regards to replacement parts for a Bantam CNC Desktop Milling Machine, Serial #AS100010-01.0197. Two spindles installed in the machine both lasted less <50 hours, indicating repeated failure consistent with manufacturer design defects. Design defects are not subject to normal wear and tear in the terms of the warranty. Bantam Tool's warranty covers defects in materials or workmanship, and the spindle assembly failing twice after just ~50 hours of normal use is consistent with a design defect. As a DIRECT result of Bantam not honoring the warranty, the machine became unusable. The machine was disposed of "for parts" and received \$552.04 in profit from resale, purchased for \$6,499 a year earlier, incurring a loss of \$5,946 not including additional parts, taxes or shipping.

### Relief Requested

Plaintiff(s) request(s) the following relief from the Defendant(s):

- Monetary Compensation of \$ 5946.00

### Additional Relief:

I am seeking additional compensation in the amount of \$1,900. This includes 28 hours of time at \$50 per hour from time spent contacting Bantam Tools to cover the warranty. The listing and resale of the inoperable machine, time spent seeking legal counsel, \$150 in filing fees and \$350 in attorney fees incurred for drafting and delivering a demand letter to Bantam Tools.

**Service of Citation(s)**

Plaintiff(s) respectfully request that the court process citations as follows:

- For citations with the service method designated as "County Sheriff," please arrange service directly with the Sheriff.
- For those marked "Citation Only," return to the Plaintiff via email at bhattarai@gmail.com for service of process.

Name	Address	Service Method
C T CORPORATION SYSTEM (registered agent)	28 Liberty St 42nd Floor, New York, NY, 10005	County Sheriff

Plaintiff consents to the e-mail service of the answer and any other motions or pleadings to e-mail address:  
rermis@gmail.com

Respectfully submitted,

/s/ Rhett Lawrence Ermis, (Signature of Plaintiff or Plaintiff Representative)

Name : Rhett Lawrence Ermis

Address : [REDACTED]

Telephone : [REDACTED]

### **Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Envelope ID: 99520474

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Status as of 4/11/2025 8:22 AM CST

#### Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Rhett LawrenceErmis			4/10/2025 1:54:56 PM	SENT